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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/415,696	
	Filing Date	October 12, 1999	
	First Named Inventor	Donald Wright	
	Art Unit	3727	
	Examiner Name	J. Pascua	
Total Number of Pages In This Submission	4	Attorney Docket Number	21276.00.9044

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<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): -Letter of Confirmation -Certificate of Transmission
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Serial No. 09/415,696; First Named Inventor: Donald K. Wright; Filing Date: October 12, 1999; Art Group: 3727; Attorney Docket No.: 21276.00.9044; Title: RECLOSABLE FASTENER PROFILE SEAL AND METHOD OF FORMING A FASTENER PROFILE ASSEMBLY

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- *Transmittal Form; and
- *Letter of Confirmation (2 pages).

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF
WRIGHT, et al.

Serial No.: 09/415,696

Filed: October 12, 1999

For: RECLOSABLE FASTENER PROFILE SEAL AND METHOD
OF FORMING A FASTENER PROFILE ASSEMBLY

Examiner: J. Pascua

Art Unit No.: 3727

Docket No. 21276.00.9044

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10/26/04
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Carmen M. Camarena
Carmen M. Camarena

LETTER OF CONFIRMATION

Dear Sir:

Confirming our telephone conversation of October 26, 2004 at approximately 11:30 a.m., the Examiner has indicated that although the Amendment filed August 30, 2004, which was in response to the Office Action dated May 28, 2004, will not be entered in its entirety, that the terminal disclaimer filed with the Amendment will be entered, and that because the present application is an RCE, the following rejections have been eliminated.

1. The filing of an RCE effort after decision by the Board. Claims 1, 4-10, 18 and 19 were rejected under the principles of *res judicata*. The Examiner has indicated that this rejection has been overcome.
2. Double patenting. Claim 18 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 22 of U.S. Patent No. 6,059,457 (Sprehe). The Examiner indicates that this rejection has been overcome by the Terminal Disclaimer filed on August 30, 2004.

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3. Claims 1, 4-10 and 19 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 14-21 of U.S. Patent No. 6,059,457 (Sprehe) in view of Anderson '113 or Edelman '517. The Examiner indicated that this rejection has been overcome by the filing of a Terminal Disclaimer.

4. Claims 1, 4-10 and 19 stand rejected under 35 U.S.C. §103(a) as unpatentable over Sprehe et al. '457 in view of Anderson '113 or Edelman '517. The Examiner has indicated that this §103 rejection has been withdrawn.

Please confirm immediately if this is the correct interpretation of the Examiner's comments in our telephone conversation this morning.

Respectfully submitted,


Robert S. Beiser
Reg. 28,687

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